

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, APRIL 16, 1969

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, April 16, 1969, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - BROWN, CULBERTSON, HUNNELL,
SCHAFFER and KIRSTEN (Mayor)

Also present: Assistant City Manager Peterson, City Attorney Mullen and Planning Director Schroeder.

PLEDGE

Mayor Kirsten led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Brown, Schaffer second, the Minutes of April 2, 1969 were approved as written, corrected by the City Clerk and mailed.

PRESENTATIONS

S. J. HOUSING
AUTHORITY

Mr. Allen R. Reed, Secretary-Executive Director of the Housing Authority of the County of San Joaquin addressed the Council concerning a program designed to provide leased housing to low income families and individuals. Mr. Reed outlined the procedure the City should follow if it wishes the Housing Authority to operate a leased-housing program in the City under Section 23 of the United States Housing Act of 1937. He presented three resolutions which the City must adopt to accomplish this. He also stated the City must make available \$4,000 to the Housing Authority to cover the cost of perfecting an application for the program. After discussion of the program with Mr. Reed, Mayor Kirsten stated he would like to study the matter further. Councilman Hunnell then moved the discussion of the matter be continued to the meeting of May 7, 1969. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

AFS
STUDENT

Miss Cheryl Woehl, 6681 East Dougherty Road, Acampo, an American Field Service Student who recently returned from Australia, presented Mayor Kirsten with a letter of greeting from the Mayor of Kyogle, Australia.

AWARD - 1965 MUNICIPAL IMPROVEMENT BONDS, SERIES B

Assistant City Manager Peterson reported that the bid opening for the sale of \$740,000 Municipal Improvement Bonds, Series B, had been held in San Francisco. He asked Mr. M. H. Davison of Stone and Youngberg to report on the bid opening. Mr. Davison reported that the City had received eight bids. He recommended that award be made to the Blyth & Company, Inc. as the low bid with a net interest cost of 5.16603%. On motion of Councilman Hunnell, Schaffer second, the City Council adopted the following resolution:

Minutes of April 16, 1969 continued

RESOLUTION NO. 3253

RESOLUTION SELLING \$740,000 PRINCIPAL AMOUNT
OF CITY OF LODI 1965 MUNICIPAL IMPROVEMENT BONDS,
SERIES B AND FIXING THE DEFINITIVE RATES OF INTEREST
RATES

WHEREAS, the City Council of the City of Lodi has duly authorized the issuance of \$740,000 principal amount of bonds designated "City of Lodi 1965 Municipal Improvement Bonds, Series B" (herein called the "bonds") and further duly authorized the sale of the bonds at public sale to the highest bidder therefor; and

WHEREAS, notice of the sale of the bonds has been duly given and the following bids for the bonds were and are the only bids received, to wit:

| <u>Name of Bidder</u> | <u>Net Interest Cost</u> |
|----------------------------------|--------------------------|
| Bank of America N. T. & S. A. | \$612,139.00 |
| Bank of California, N. A. | 637,127.50 |
| Blyth & Co., Inc. | 603,392.50 |
| Crocker-Citizens National Bank | 615,500.00 |
| Glore Forgan, Wm. R. Staats Inc. | 605,855.00 |
| Security Pacific National Bank | 622,279.00 |
| United California Bank | 609,674.00 |
| Wells Fargo Bank N. A. | 607,823.38 |

AND WHEREAS, the bid of Blyth & Company, Inc. is the highest bid for the bonds, considering the interest rates specified and the premium, if any, offered;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi, as follows:

1. Said bid of Blyth & Company, Inc. for the bonds is hereby accepted and the Treasurer is hereby authorized and directed to deliver the bonds to said purchaser thereof upon payment to the Treasurer of the purchase price, to wit: The par value and a premium of \$ none, together with accrued interest at the following rates:

| <u>Bond Numbers</u> <u>(Inclusive)</u> | <u>Maturity Years</u> <u>(Inclusive)</u> | <u>Interest Rate</u> <u>Per Annum</u> |
|---|---|--|
| (All bearing prefix 'B') | | |
| 1 to 37 | 1970 to 1979 | 6 |
| 38 to 65 | 1980 to 1984 | 5 |
| 66 to 85 | 1985 to 1987 | 5.10 |
| 86 to 127 | 1988 to 1992 | 5.20 |
| 128 to 137 | 1993 | 4.50 |
| 138 to 148 | 1994 | 5.25 |

The bonds shall bear interest at the rates hereinabove set forth, payable semi-annually on May 1 and November 1 in each year, except interest for the first year which is payable annually on May 1, 1970.

2. All bids except said accepted bid are hereby rejected and the City Clerk is hereby directed to return to the unsuccessful bidders their several checks accompanying their respective bids.

Minutes of April 16, 1969 continued

3. The City Clerk is directed to cause to be lithographed, printed or engraved a sufficient number of blank bonds and coupons of suitable quality, said bonds and coupons to show on their face that the same bear interest at the rates aforesaid.

4. This resolution shall take effect from and after its passage and approval.

PASSED AND ADOPTED this 16th day of April, 1969, by the following vote:

Ayes: Councilmen - Brown, Culbertson, Hunnell, Schaffer and Kirsten

Noes: Councilmen - None

Absent: Councilmen - None

On motion of Councilman Culbertson, Schaffer second, the Council then authorized the City Clerk to return to the unsuccessful bidders their check accompanying their respective bids.

LIBRARY BOARD REQUEST

Judge Robert Bainbridge, President of the Library Board, spoke on behalf of the Library Board requesting the Council to establish a library construction fund beginning with the 1969-70 fiscal year. He suggested the tax rate for the library services be increased from 20 cents to 30 cents per \$100 assessed valuation and that the increased amount be set aside for a construction fund. After discussion, Mayor Kirsten requested the Assistant City Manager to study the matter with respect to the various methods of funding the project and to report back to the Council.

BASINS

Mr. Peterson reported that a firm engaged in the construction of Interstate 5 had need of a considerable amount of dirt fill and is interested in obtaining it from the City. The firm has offered to excavate a basin at no cost to the City. In the past the City has had difficulty disposing of dirt at basin sites and Mr. Peterson recommended the City take advantage of this offer. He explained that funds are available for one basin in this year's budget. He recommended the staff be authorized to proceed with plans for acquisition of a basin site in Area A, since this basin is first priority as previously established by the Council. After discussion, on motion of Councilman Schaffer, Brown second, the Council authorized the staff to proceed with preliminary plans for two basins with priority on Basin A-2.

RECESS

Mayor Kirsten declared a five-minute recess and the Council reconvened at 9:20 p.m.

PUBLIC HEARINGS

REZONE LONE OAK SUBDIVISION

Notice thereof having been published in accordance with law, Mayor Kirsten called for the public hearing on the proposal to rezone the Lone Oak Subdivision from the R-1, Single-Family Residential District to the P-D, Planned Development District. Planning Director Schroeder introduced the

Minutes of April 16, 1969 continued

matter, showing a sketch of the area.

Mr. Robert Houston, 824 Mariposa Way, spoke in favor of the proposal, stating he proposes to build three-bedroom homes which would sell for approximately \$16,000 and could be financed with the aid of a Federal Government subsidy.

Also speaking in favor of the proposed rezoning were Mr. Orwin Dow, 8 North Rose Street, Chairman of the Community Action Council; Reverend Killian of St. Anne's Church and Mrs. Torres, 338 East Locust Street. Speaking in opposition to the proposal was Mrs. Kettelman, 1130 South Cherokee Lane. There was no one else in the audience who wished to speak on the matter and the public portion of the hearing was closed.

The Council discussed the problem of utilities for the proposed subdivision and Mr. Houston stated he was prepared to extend water and sewer service to the property. He asked the Council to consider the use of recharge holes for storm drainage. After further discussion concerning the lack of utilities to serve the area, Councilman Schaffer moved the staff be directed to study the matter further and investigate the possibility of using recharge holes for drainage as suggested by Mr. Houston, and the public hearing be continued to May 21, 1969, with a report from the staff at that time. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

PLANNING COMMISSION

OF INTEREST

The Assistant City Manager read the following actions taken at the City Planning Commission meeting of April 14, 1969:

1. Determined that the existing zoning was proper and made no recommendation for a change in zoning for parcels located at 1210 and 1216 West Turner Road from the C-1 to the R-2 District.
2. Determined that the existing zoning was proper and made no recommendations for a change in zoning for parcels located at 207 - 235 East Kettleman Lane from the C-2 to the R-MD District.
3. Determined that the existing zoning was proper and made no recommendation for a change in zoning for two parcels located at 1030 South Hutchins Street from the C-1 to the R-MD District.
4. Recommended the approval by the San Joaquin County Planning Commission of the request of Mr. James B. Schmiedt for a use permit to establish a 140-unit mobile home park at the northeast corner of Woodbridge Road and Highway 50-99 north of Lodi in an area zoned I-PA.

Minutes of April 16, 1969 continued

5. Denied the request of the Lodi Memorial Hospital by Mr. Robert H. Rinn for variances (1) to permit the erection of a 6-foot high, chain-link fence in a street side yard area where a maximum height of 42 inches is permitted and (2) to permit off-street parking in a street side yard area on the east side of South Ham Lane, south of West Vine Street in an area zoned R-HD.
6. Approved with conditions the request of Euclid Shopping Center by Harada and Meu, Architects, for a use permit to construct Phase IV of the Albertson-Gibson Shopping Center at the southeast corner of West Lane and West Kettleman Lane in an area zoned C-S.
7. Denied the request of Gensler-Lee Diamonds by Federal Sign and Signal Corporation for a variance to permit the increase of the existing sign area from 77 square feet to 81 square feet where a maximum of 30 square feet is permitted at 123 South School Street in an area zoned C-2.
8. Recommended the approval by the San Joaquin County Planning Commission of the request of the Lodi Community Hospital by Mr. Harry B. Roby, Administrator, for the use permit for a 20-room addition to an existing hospital at the northeast corner of Lower Sacramento Road and the westerly extension of West Vine Street in an area zoned I-PA.
9. Approved the request of Mar-Val Market for a use permit for amusement rides in an existing parking lot for five days at 429 West Lockeford Street in an area zoned C-2.
10. Approved the request of Mr. Otto Grosshans for a variance to permit an addition to an existing alley house with a nonconforming side yard of 2 1/2 feet and a proposed nonconforming rear yard of 1 foot at 440 1/2 Hilborn in an area zoned R-MD.

COMMUNICATIONS

ELLIOTT RESIGNS

A letter of resignation was read from Planning Commission Chairman Robert Elliott. On motion of Councilman Schaffer, Culbertson second, the Council accepted with regrets the letter of resignation.

POLICE & FIRE RE AB 374

Letters had been received from the Lodi Policemen's Association and the Lodi Fire Fighters Association, Inc. requesting the City Council to reverse its decision concerning Assembly Bill 374 which would allow Police and Firemen to retire at age 50. It was the unanimous opinion of the Council that it would be unfair to the taxpayers to endorse this bill. On motion of Councilman Schaffer, Culbertson second, the request was tabled.

ABC LICENSE

The following notices of application for alcoholic beverage license were read:

Minutes of April 16, 1969 continued

1. Original license, Bert, Lawrence & Lee Castelanelli and James A. McCarty, The Milk Stop, 1213 West Lockeford Street, off-sale beer and wine.

2. Original license, Bert, Lawrence & Lee Castelanelli and James A. McCarty, The Milk Stop, 321 South Hutchins Street, off-sale beer and wine.

3. Temporary retail permit, Lodi Baseball Club, Lawrence Park, 350 N. Washington Street, on-sale beer seasonal.

LAND CONSERV.
AGREEMENT
OPPOSED

RES. NO. 3254

Assistant City Manager Peterson presented a notice from the San Joaquin County Board of Supervisors stating the Board's intention to consider a Land Conservation Agreement for land which is within one mile of the City limits of the City of Lodi. On motion of Councilman Schaffer, Hunnell second, the Council unanimously adopted Resolution No. 3254 protesting the establishment of a Land Conservation Agreement involving certain lands situated within one mile of the City limits of the City of Lodi.

Councilman Culbertson then moved that it be the policy of the Council to oppose any contractual arrangement for an agricultural preserve within one mile of the City limits. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

AAUW RE
LIBRARY

Mayor Kirsten stated he had received a letter from the American Association of University Women endorsing the proposal of the Library Board for a library construction fund..

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$188,504.80 were approved on motion of Councilman Brown, Hunnell second.

SIDEWALK
SURVEY
REPORT

Assistant City Manager presented the sidewalk survey report as prepared by the Public Works Department for discussion. Councilman Culbertson moved the matter be continued to the meeting of May 7, so that the Council might have further time to study the report. The motion was seconded by Mayor Kirsten. Under the question, Councilman Hunnell suggested the matter be discussed at a special meeting on May 14. Councilman Culbertson then withdrew his motion and Mayor Kirsten his second. Councilman Culbertson moved the discussion of the sidewalk survey report be continued to a special meeting on May 14, 1969. The motion was seconded by Mayor Kirsten and carried by unanimous vote.

REMOVAL
OF TREES -
POLICY

Mr. Peterson presented the Council with the recommended policy concerning removal of trees in public rights of way. After discussion of the recommended policy, Councilman Culbertson moved Council approval after changing the words

Minutes of April 16, 1969 continued

"developed residential" to "a" in paragraph 5, and changing the words "desire to" to "is to be installed" in paragraph 4 and "are to be installed" in paragraph 5. The motion was seconded by Councilman Brown. After further discussion, Councilman Culbertson amended the motion to adopt the tree removal policy to read as follows:

"Tree Removal By The City of Lodi For Trees In Public Streets:

1. When trees are dead.
2. When trees are diseased beyond cure.
3. When trees are hazardous to the public or necessary root surgery would render them hazardous.
4. When sidewalk is to be installed by property owners on parcels where curb and gutter is in place.
5. When curb, gutter and sidewalk are to be installed by property owners on parcels of less than 17,000 sq. ft. within the City of Lodi as of April 1, 1969
6. When tree removal is necessary for a City street widening project."

The motion was seconded by Councilman Brown and carried by unanimous vote.

PARKING STUDY
700 BLOCK OF
S. CENTRAL

Assistant City Manager Peterson submitted a report concerning parking on the 700 block of South Central Avenue as requested by the Council at its meeting of April 2. Councilman Hunnell moved the matter be continued to the meeting of May 7, 1969. The motion was seconded by Councilman Schaffer and carried.

PURCHASE OF
ADDITIONAL
PROPERTY
AT WELL 8
AUTHORIZED

The Assistant City Manager submitted a request from the Public Works Director recommending that the City Council authorize the City Manager to acquire additional property at the site of Well #8 at South Stockton Street and Kettleman Lane. Mr. Peterson explained that there are two reasons for acquiring the added land at this time. First, the future rights of way of both streets take a considerable portion of the existing site, thus more land is needed to provide an adequate maintenance and servicing area. Secondly, the sewer line of the small house immediately south of the well site is too close to the well itself to meet State standards. He recommended purchase of the additional land to resolve a two-fold problem. On motion of Councilman Brown, Hunnell second, the City Council authorized the City Manager to acquire additional property at Well No. 8 as recommended and to acquire an additional parcel on the east side of the present City property 10 ft. x 100 ft. if possible. The motion carried with Councilman Culbertson voting no.

Minutes of April 16, 1969 continued

AWARD - McLANE
SUBSTATION SITE
PREPARATION

RESOLUTION NO. 3255

Bids were received for the McLane Substation site preparation as follows:

| | |
|--------------------------------|----------|
| C. L. Jones & Company | \$12,132 |
| S.M.C. Construction | 13,177 |
| V. L. Gavel Construction, Inc. | 15,074 |

The Assistant City Manager recommended that the award be made to the low bidder. On motion of Councilman Schaffer, Hunnell second, the Council adopted Resolution No. 3255 awarding the contract for the McLane Substation site preparation to C. L. Jones & Company for a total of \$12,132.

AWARD - TWIN
OAKS PARK
DRAINAGE

RES. NO. 3256

Assistant City Manager Peterson then presented bids for Twin Oaks Park drainage system as follows:

| | |
|------------------------|-------------|
| W. M. Lyles Company | \$ 8,782.10 |
| William Burkhardt | 9,533.59 |
| Clifford Perini | 9,972.00 |
| Certified Sewer, Inc. | 10,230.70 |
| D. A. Parrish & Sons | 10,451.10 |
| Lund Construction Co. | 11,688.00 |
| A. Teichert & Son | 11,830.00 |
| Terry Construction Co. | 14,845.00 |

Mr. Peterson recommended the award be made to the low bidder. On motion of Councilman Hunnell, Schaffer second, the City Council adopted Resolution No. 3256 awarding the contract for the construction of the Twin Oaks Park drainage system to the low bidder, W. M. Lyles Company for a total amount of \$8,782.10.

EASEMENTS -
TWIN OAKS
STORM DRAIN

On motion of Councilman Schaffer, Brown second, the City Council accepted easements for the B-2 Outfall line and authorized the Public Works Director to sign the agreements between the City and the property owners covering the easements and the amount to be paid for damages.

PLANS & SPECS -
TWIN OAKS PARK
STORM DRAIN
OUTFALL LINE

Assistant City Manager presented plans and specifications for the Twin Oaks Park storm drain outfall line. On motion of Councilman Brown, Schaffer second, the plans and specifications were approved and advertising for bids thereon authorized.

PLANS & SPECS -
WALNUT STREET
STORM DRAIN

Plans and specifications were presented for the Walnut Street storm drain line. On motion of Councilman Schaffer, Hunnell second, the plans and specifications were approved and advertising for bids thereon authorized.

PLANS & SPECS -
WIDENING OF
W. LODI AVE. &
S. SCHOOL ST.

Plans and specifications were also presented for the widening of West Lodi Avenue (Church Street to School Street) and South School Street (Lodi Avenue to Chestnut Street). On motion of Councilman Culbertson, Hunnell second, the plans and specifications were approved and advertising for bids thereon authorized.

Minutes of April 16, 1969 continued

ACCEPT STREETS
LAKEWOOD SUBD.
UNIT #4

RES. NO. 3257

The Assistant City Manager reported that subdivision improvements in the Lakewood Unit No. 1 Subdivision had been completed in accordance with plans and specifications and it was now in order to accept the streets therein for inclusion in the City street system. On motion of Councilman Schaffer, Hunnell second, the City Council adopted Resolution No. 3257 accepting the streets in Lakewood Unit No. 1 Subdivision as public streets.

LIPELT
LEASE

Mr. Peterson presented a request from Mr. R. M. Lipelt for the renewal of a yearly lease with the City covering a small portion of the Lodi Lake area immediately east of Lipelt's property. He recommended the lease be renewed. On motion of Councilman Schaffer, Culbertson second, the Council renewed Mr. Lipelt's lease for one year ending March 31, 1970.

ORDINANCES

REZONE 301 &
305 EDEN STREET

ORD. NO. 895
ADOPTED

ORDINANCE NO. 895, entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING PARCELS LOCATED AT 301 AND 305 EDEN STREET TO BE IN THE R-MD, MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT," having been introduced at the meeting of April 2, 1969, was brought up for passage on motion of Councilman Hunnell, Schaffer second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson, Hunnell,
Schaffer and Kirsten

Noes: Councilmen - None

Absent: Councilmen - None

REZONE 301
EAST PINE ST.

ORD. NO. 896
ADOPTED

ORDINANCE NO. 896, entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING 301 EAST PINE STREET TO BE IN THE C-2, GENERAL COMMERCIAL DISTRICT," having been introduced at the meeting of April 2, 1969, was brought up for passage on motion of Councilman Brown, Schaffer second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson, Hunnell,
Schaffer and Kirsten

Noes: Councilmen - None

Absent: Councilmen - None

REZONE 109, 111,
115 & 117 WEST
LOCKEFORD ST.

ORD. NO. 897
ADOPTED

ORDINANCE NO. 897, entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING PROPERTIES AT 109, 111, 115 AND 117 WEST LOCKEFORD STREET TO BE IN THE C-2, GENERAL COMMERCIAL DISTRICT," having been introduced at the meeting of April 2, 1969, was brought up for passage on

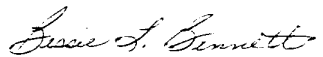
Minutes of April 16, 1969 continued

motion of Councilman Hunnell, Schaffer second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson, Hunnell,
Schaffer and Kirsten
Noes: Councilmen - None
Absent: Councilmen- None

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:40 p.m. on motion of Councilman Hunnell.


ATTEST: BESSIE L. BENNETT
City Clerk